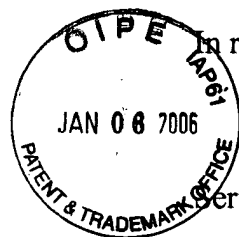


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Joseph FERRANTE, et al.

Serial No.: 10/067,052

Filed: February 4, 2002

For: EXTERNAL FIXATION SYSTEM)

Group Art Unit: 3732

Examiner: Ramana, Anuradha

Mail Stop Petitions
Commissioner of Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No. 39262/263783
(01-31-0743)
Date: January 6, 2006

**PETITION UNDER 37 C.F.R. §1.313(c)(2)
TO WITHDRAW APPLICATION FROM ISSUE**

Sir:

Applicants hereby petition the U.S. Patent Office under 37 C.F.R. §1.313(c)(2) to withdraw the above-identified application from issue to permit consideration of a Request for Continued Examination in compliance with 37 C.F.R. §1.114. A Request for Continued Examination and a Supplemental Information Disclosure Statement are enclosed.

CERTIFICATE OF MAILING

I hereby certify that this Petition Under 37 C.F.R. §1.313(c)(2) to Withdraw Application from Issue, along with a Request for Continued Examination and a Supplemental Information Disclosure Statement are being deposited with the U.S. Postal Service as Express Mail addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Arlington, VA 22313-1450 on January 6, 2006.


Geoffrey K. Gavin – Registration No. 47,591

9095086.1

01/10/2006 SDENB001 00000089 10067052

02 FC:1464

130.00 0P


U.S. Serial No. 10/067,052
Petition Under 37 C.F.R. §1.313(c)(2) to
Withdraw Application from Issue

A Request for Continued Examination and a Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §1.97 and 1.98 are being filed concurrently with this petition. The Supplemental Information Disclosure Statement presents references that were previously considered by the Examiner in a related application, but which the Examiner has not considered in the present application because a previously-submitted information disclosure statement was not in compliance with 37 C.F.R. §1.97(d) according to the Examiner. The Examiner did not mail a supplemental Notice of Allowability indicating that she would not consider the previously-submitted supplemental information disclosure statement until after the deadline for payment of the issue fee in this application.

In view of the foregoing, applicants request that this Petition be granted, and that the references be considered by the Examiner pursuant to the Request for Continued Examination.

Other than the fees due under 37 C.F.R. §1.114 for the RCE and the petition fee required by 37 C.F.R. §1.313, the undersigned attorney believes no fees are due; however, the Commissioner is authorized to debit deposit account no. 11-0855 to the extent necessary if other fees are due.

Respectfully submitted,


Geoffrey K. Gavin
Registration No. 47,591

U.S. Serial No. 10/067,052
Petition Under 37 C.F.R. §1.313(c)(2) to
Withdraw Application from Issue

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
(404) 815-6046
Attorney Docket No. 39262/263783 (01-31-0743)